



DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA-2022-0050; OMB No. 1660-0005]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; FEMA Inspection and Claims Forms

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30 day notice of revision and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. The submission seeks comments concerning the collection of information related to the flood insurance claims process and the housing inspection damage assessment process.

DATES: Comments must be submitted on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C St. SW, Washington, DC 20472, e-mail address FEMA-Information-Collections-Management@fema.dhs.gov or Daniel Claire, Insurance

Examiner, FEMA Resilience (Pertaining to claims forms) at (202) 552-9891 or Daniel.Claire@fema.dhs.gov, contact: Todd Milliron, Supervisory Program Specialist, FEMA Office of Response and Recovery (Pertaining to housing inspection instruments) at (540) 686-3844 or Todd.Milliron@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: Pertaining to National Flood Insurance Program (NFIP) Direct claim forms, Congress created the NFIP through the National Flood Insurance Act of 1968 (NFIA) (Title XIII of Pub. L. 90-448, 82 Stat. 476), codified at 42 U.S.C. 4001 et seq. The NFIP enables property owners in participating communities to purchase flood insurance. Communities participate in the NFIP based on an agreement between the community and Federal Emergency Management Agency (FEMA). If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, FEMA makes flood insurance available within the community as a financial protection against flood losses. Accordingly, the NFIP is comprised of three key activities: flood insurance, floodplain management, and flood hazard mapping.

A prospective policyholder may purchase an NFIP flood insurance policy, known as a Standard Flood Insurance Policy (SFIP), either: (1) directly from the Federal Government through a direct servicing agent (referred to as “NFIP Direct”), or (2) from a participating private insurance company through the Write Your Own (WYO) Program. *See* 44 CFR 62.23-24. The SFIP is a single-peril (flood) policy that pays for direct physical damage to insured property. There are three SFIP policy forms (i.e., insurance contracts): (1) Dwelling Form, (2) General Property Form, and (3) Residential Condominium Building Association Policy (RCBAP) Form, which are published in FEMA’s regulations. *See* 44 CFR 61.13; *see also* 44 CFR part 61, Appendices A(1), A(2), and A(3). The SFIP sets out the terms and conditions of insurance. FEMA establishes terms, rate structures, and premium costs of the SFIP. The terms, coverage

limits, and flood insurance premiums are the same whether purchased from the NFIP Direct or the WYO Program. *See* 44 CFR 62.23(c), (h).

All flood loss claims presented under the NFIP are paid directly with U.S. Treasury funds, regardless of whether the policy is issued by the NFIP Direct or by a WYO company. The information in the NFIP Direct collection includes all the data necessary to adjudicate claims for damages and provide SFIP benefits resulting from flood losses.

In addition to the requirements of the NFIA, section 205 of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (42 U.S.C. 4011) required FEMA to establish a claims appeals process. *See* 44 CFR 62.20.

Pertaining to housing inspections, also part of this collection, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Pub. L. 93-288, as amended, is the legal basis for FEMA to provide financial assistance and services to individuals applying for disaster assistance benefits in the event of a Federally declared disaster. Regulations in 44 CFR 206.110 - Federal Assistance to Individuals and Households implement the policy and procedures set forth in section 408 of the Stafford Act, 42 U.S.C. 5174, as amended.

This program provides financial assistance and, if necessary, direct assistance to eligible individuals and households who, as a direct result of a major disaster or emergency, have uninsured or under-insured expenses, and serious needs, and are unable to meet such expenses or needs through other means.

Individuals and households applying for assistance must provide information detailing their losses and needs through the disaster assistance registration process covered under collection 1660-0002, Disaster Assistance Registration. If FEMA determines the applicant had home or personal property damage, has no insurance, or that

the applicant's insurance coverage may not meet their needs, an inspection is needed to verify disaster caused damage.

All pertinent information for a specific applicant is stored under a unique registration identification (ID) within the National Emergency Management Information System (NEMIS). An inspection request occurs due to NEMIS-driven business rules (automatically), applicant request, or a FEMA caseworker request. The scope of an inspection for owners includes noting real and personal property (furnishing and appliances) damages to the interior and exterior of the dwelling, addressing special needs, transportation, unmet needs, and miscellaneous purchases. Inspectors do not note real property specifications for renters.

Once the inspector validates the information provided by the applicant during registration intake, the inspector begins an assessment of real and/or personal property damages utilizing Automated Construction Estimator (ACE) software. The same ACE software screens are used regardless of how the inspection occurs (i.e., via onsite, via voice over the phone, or via video). The inspector then uploads this information back to FEMA via the NEMIS through use of a secure connection. The inspector only records observed disaster caused damages and does not determine eligibility or damage award levels. FEMA's policies and business rules determine eligibility and award levels based upon the damage assessment, and other available information.

For this submission, FEMA identified two NFIP Direct claim forms in which necessary data could be combined or collected in other forms or systems, thereby eliminating the need for those forms, and reducing duplicative information collection. Accordingly, FEMA proposes to remove the following two forms from this collection: (1) FEMA Form FF-206-FY-21-113, Advance Payment Request - Building & Contents, and (2) FEMA Form FF-206-FY-21-114, Advance Payment Request - Increased Cost of Compliance (ICC).

This proposed information collection previously published in the *Federal Register* on December 8, 2022, at 87 FR 75281 with a 60 day public comment period. FEMA received one public comment. The public comment is not germane to this collection.

The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: FEMA Inspection and NFIP Direct Claims Forms.

Type of Information Collection: Extension, with change, of a currently approved information collection.

OMB Number: 1660-0005.

FEMA Forms: FEMA Form FF-206-FY-21-106 (formerly 086-0-06) Personal Property (Contents) Worksheet; FEMA Form FF-206-FY-21-107 (formerly 086-0-07), Building Property Worksheet; FEMA Form FF-206-FY-21-108 (formerly 086-0-09), Proof of Loss - Building & Contents (Policyholder-Prepared); FEMA Form FF-206-FY-21-109 (formerly 086-0-10), Proof of Loss - Increased Cost of Compliance (ICC); FEMA Form FF-206-FY-21-110 (formerly 086-0-11), First Notice of Loss; FEMA Form FF-206-FY-21-111 (formerly 086-0-17), Manufactured (Mobile) Home/Travel Trailer Worksheet; FEMA Form FF-206-FY-21-112 (formerly 086-0-22), Proof of Loss - Building & Contents (Adjuster-Prepared); FEMA Form FF-206-FY-21-115 (formerly 086-0-25), Claim Appeal; FEMA Form FF-104-FY-22-220 (formerly 009-0-143), Onsite Housing Inspections; FEMA Form FF-104-FY-22-221 (formerly 009-0-144), Remote Voice Telephony Housing Inspections; and FEMA Form FF-104-FY-22-222 (formerly 009-0-145), Remote Video Telephony Housing Inspections.

Abstract: After a flood loss, claims forms are used by NFIP Direct policyholders to provide information needed to investigate, document, evaluate, and adjudicate claims

against FEMA policies for flood damage to insured property or determine eligibility and settlement for benefits under Coverage D, Increased Cost of Compliance coverage. After a federally-declared disaster, FEMA inspectors use household inspection instruments to verify applicant information and document damage to determine award eligibility.

Affected Public: Individuals or households, businesses or other for-profit, not-for-profit institutions, and State, local or Tribal governments.

Estimated Number of Respondents: 302,360.

Estimated Number of Responses: 302,360.

Estimated Total Annual Burden Hours: 309,621.

Estimated Total Annual Respondent Cost: \$12,573,707.

Estimated Respondents' Operation and Maintenance Costs: \$0.00.

Estimated Respondents' Capital and Start-Up Costs: \$0.00.

Estimated Total Annual Cost to the Federal Government: \$103,163,066.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Millicent Brown Wilson,

Records Management Branch Chief,

Office of the Chief Administrative Officer,

Mission Support,

Federal Emergency Management Agency,

Department of Homeland Security.

[FR Doc. 2023-03613 Filed: 2/21/2023 8:45 am; Publication Date: 2/22/2023]